

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOMINIKA ZAKRZEWSKA,

06 Civ. 5463 (LAK)

PLAINTIFF,

v.

**NOTICE OF
CROSS-MOTION**

THE NEW SCHOOL AND
KWANG-WEN PAN,

DEFENDANT.

PLEASE TAKE NOTICE that upon the Declaration of Thomas S. D'Antonio, dated December 28, 2007, defendant The New School, will cross-move this Court before the Hon. Lewis A. Kaplan, at the United States Courthouse located at 500 Pearl Street, New York, New York, on a time and date to be determined by the Court, for an Order pursuant to Federal Rule of Civil Procedure 26: (a) compelling prompt production for plaintiff's expert report and any related expert disclosures; (b) granting adequate time for The New School, upon receipt of plaintiff's expert report and any related disclosures, to identify its own expert and to permit scheduling and completion of necessary examinations of plaintiff by defendant's expert; (c) compelling prompt delivery of medical and work authorizations previously furnished to plaintiff's counsel; (d) compelling the identification of the plaintiff's roommates and employers, which plaintiff's counsel instructed her not to provide at her prior deposition; and (e) for such other and further relief as the Court considers just and proper.

Dated: December 28, 2007

Respectfully submitted,

WARD NORRIS HELLER & REIDY, LLP

/s/
Thomas S. D'Antonio (TSD-2927)

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